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February 2, 2021

VIA ECF

Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: **Lucille Tirado, Admin. v. The City of New York, et al.**
Docket No.: 19 CV 10377
Our File No.: 611-3290

Dear Judge Kaplan:

Heidell, Pittoni, Murphy & Bach, LLP has been retained a trial counsel for all defendants in this matter. On January 22, 2021, Judge Netburn denied defendants' motion seeking to bifurcate individual and *Monell* discovery. (ECF # 96). On January 25, 2021, Judge Netburn issued a Report and Recommendation on defendants' motion to dismiss, recommending that Your Honor grant portions of the motion and deny others. (ECF # 98). In accordance with Your Honor's Individual Rules of Practice, the parties hereby jointly write to the Court and have enclosed a Stipulation seeking an extension of time to submit rule 72 objections to the above-mentioned Order and Report and Recommendation. The parties' consent to the briefing schedule as outlined in the Stipulation. This is the first such request for this relief.

The parties thank the Court for its time and consideration of this request.

Respectfully submitted,

/s/

Joseph E. Shmulewitz, Esq.

/s/

Rob Rickner, Esq.

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JES/mp

cc: **VIA ECF**

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LUCILLE TIRADO, as the Administratrix of the
Estate of EUGENE CASTELLE, Deceased,

Plaintiff,

Case No.: 1:19-CV-10377

- against -

THE CITY OF NEW YORK; CORRECTION
OFFICER ANAIS DACRUZ (#18067);
CORRECTION OFFICER WARD (#6080);
CORRECTION OFFICER BROWN (#12987);
CORRECTION OFFICER SISTRUNCK (# 13421);
CORRECTION OFFICER NUGENT (#18109);
CORRECTION OFFICER DANIELS (#17339);
CORRECTION OFFICER AZEEZ (#1443);
CORRECTION OFFICER ROGERS (#);
CORRECTION OFFICER GARAMEDE; CAPTAIN
BATCHELOR (#461); CAPTAIN PRINCE (#1609);
CAPTAIN ELLIS (#511); and ALEXIS QUENTZ,

**STIPULATION
EXTENDING TIME
TO MAKE RULE 72
OBJECTIONS AND
BRIEFING SCHEDULE**

Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and between the parties and undersigned attorneys of record that the parties may file any objections pursuant to FRCP 72 to Magistrate Judge Sarah Netburn's order denying bifurcation of discovery dated January 22, 2021 or Judge Netburn's Report and Recommendation dated January 25, 2021 by **February 23, 2021**.

IT IS FURTHER STIPULATED AND AGREED, that any responses to those objections shall be filed by **March 23, 2020**.

IT IS FURTHER STIPULATED AND AGREED, that this Stipulation can be filed with the Clerk of the Court without further notice.

IT IS FURTHER STIPULATED AND AGREED that for purposes of this

Stipulation, facsimile signatures shall be deemed original signatures.

Dated: New York New York
February 2, 2021

By: _____/s/
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By: _____/s/
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Attorneys for Defendants

**THE CITY OF NEW YORK, CAPTAIN
GAMIAN BATCHELOR, s/h/a
“CAPTAIN BATCHELOR (#461)”,
CAPTAIN ROBERT ELLIS, s/h/a
“CAPTAIN ELLIS (#511)”, and
CORRECTION OFFICER JAVON
SISTRUNK, s/h/a “CORRECTION
OFFICER SISTRUNCK (# 13421)”,
CORRECTION OFFICER ROBERTA
WARD s/h/a CORRECTION OFFICER
WARD (#6080); CORRECTION
OFFICER LATOYA NUGENT s/h/a
CORRECTION OFFICER NUGENT
(#18109); CORRECTION OFFICER
NATASHA DANIELS s/h/a
CORRECTION OFFICER DANIELS
(#17339); CORRECTION OFFICER
WAHEED AZEEZ s/h/a CORRECTION
OFFICER AZEEZ (#1443); CAPTAIN
DEBORAH PRINCE s/h/a CAPTAIN
PRINCE (#1609); and ALEXIS QUENTZ**